

REMARKS

Claims 2-11 and 13-23 are pending in this application. Claims 1 and 24-27 have been canceled by a previous amendment. Claims 2, 3, 5, 6-8, 11, and 14-19 are amended. Allowance of the application is respectfully requested.

Applicant initially thanks Examiner Hsu for his time in granting a telephonic interview on March 31, 2006. Applicant also thanks Examiner Hsu for his helpful comments and cooperation. During the telephonic interview, Applicant's representative and the Examiner discussed the issue of the enablement requirement under §112, first paragraph, and an understanding was reached that if clarifying amendments were made to the independent claims, the Examiner would at the very least remove the finality of the present action.

CLAIM REJECTION UNDER 35 U.S.C. 112, FIRST PARAGRAPH

The Examiner has rejected claims 2-11 and 13-23 under §112, first paragraph as failing to comply with the enablement requirement. Applicant respectfully traverses this rejection.

Amendments have been made to independent claims 2, 3, 5, 6, 13, 14, 16, and 17. Although the wording may vary slightly from claim to claim, the independent claims have been amended to recite an "initial load level," and claims 5, 6, 13, and 17 have been amended to remove the term "or" and recite therein that an initial load level is "a function of at least one of..." (Emphasis added.) Furthermore, Applicant has clarified the recursive updating recited in the claims.

The amendments to the claims address the Examiner's concerns in making the enablement rejection under §112, first paragraph. Accordingly, Applicant requests that the Examiner withdraw this rejection.

CONCLUSION

In view of the above remarks, reconsideration of the rejection and allowance of each of claims 2-11 and 13-23 in connection with the present application is earnestly solicited.

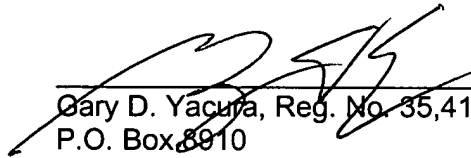
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



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